

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

**ORDER GRANTING TRUSTEE'S MOTION TO RETAIN
KUGLER KANDESTIN, L.L.P. AS SPECIAL COUNSEL
NUNC PRO TUNC AS OF SEPTEMBER 1, 2009**

Upon the motion (the "Motion") of Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC, for authority to retain Kugler Kandestin, L.L.P. ("Kugler") as special counsel, *nunc pro tunc* as of September 1, 2009, and due and proper notice having been given under the circumstances of this case, and the Securities Investor Protection Corporation having specified Kugler as special counsel, and after due deliberation,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Court finds that Kugler is hereby deemed disinterested under 15 U.S.C. § 78eee(b)(6)(B).

4. The Trustee is authorized to retain Kugler as special counsel to the Trustee as provided in the Motion, *nunc pro tunc*, as of September 1, 2009.

Dated: New York, New York
January 20, 2010

/s/Burton R. Lifland
HONORABLE BURTON R. LIFLAND
UNITED STATES BANKRUPTCY JUDGE